



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು  
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಶುಕ್ರವಾರ, ೨೪, ಜನವರಿ, ೨೦೨೫(ಮಾಘ, ೦೪, ಶಕವರ್ಷ, ೧೯೪೬) BENGALURU, FRIDAY, 24, JANUARY, 2025 (MAGHA, 04, SHAKAVARSHA, 1946)	ನಂ. ೫೨ No. 52
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## HIGH COURT OF KARNATAKA, BENGALURU NOTIFICATION NO.HCLC 42/2017, DATED 07.01.2025

In exercise of the powers conferred by Article 227 of the Constitution of India read with section 477 of the Code of Criminal Procedure, 1973 (Central Act 02 of 1974) and all powers thereunto enabling, the High Court of Karnataka with the previous approval of the Government of Karnataka, in view of the directions of the Hon'ble Supreme Court in *Suo Motu Writ (Crl.) No.1/2017* hereby proposed to make the following rules further to amend the Karnataka Criminal Rules of Practice, 1968, namely:-

### RULES

**1. Title and commencement.-** (1) These rules may be called the Karnataka Criminal Rules of Practice (Amendment) Rules, 2024.

(2) They shall come into force from the date of their publication in the Official Gazette.

**2. Amendment of Chapter VII.-** In the Karnataka Criminal Rules of Practice, 1968, (hereinafter referred to as the said rules) in Chapter VII,-

(i) after rule 2, the following shall be inserted, namely:-

“2(A) The order framing charge shall be accompanied by formal charge in Form No.32 of Schedule-II of the Cr.P.C to be prepared personally by the Presiding Officer after complete and total application of mind.”

(ii) for rules 7 and 8, the following shall be substituted, namely:-

**“7. Recording of evidence: procedure or format of witnesses or references to statements under sections 161 and 164 of the Cr.P.C or marking of confessional statements.-**(1)The depositions of witnesses shall be recorded, in typed format, if possible. The record of evidence shall be prepared on computers, if available, in the Court on the dictation of the Presiding Officer.

Provided that, in case the language of deposition is to be recorded in a language other than English or the language of the State, the Presiding Officer shall simultaneously translate the deposition either himself or through a competent translator into English.

(2) The deposition shall be recorded in the language of the witness and in English when translated as provided in sub-clause (1) clause 7.

(3) The depositions shall without exception be read over by the Presiding Officer in Court. Hard copy of the testimony so recorded duly signed to be a true copy by the Presiding Officer or Court Officer shall be made available free of cost against receipt to the accused or an advocate representing the accused, the witness and the prosecutor on the date of recording.

(4) A translator shall be made available in each Court and Presiding Officer shall be trained in the local languages, on the request of the Presiding Officers.

(5) The Presiding Officers shall not record evidence in more than one case at the same time.

(6) The deposition of each witness shall be recorded dividing it into separate paragraphs assigning paragraph numbers.

(7) Prosecution witnesses shall be numbered as PW-1, PW-2 etc., in seriatim. Similarly, defence witnesses shall be numbered as DW-1, DW-2 etc., in seriatim. The Court witnesses shall be numbered as CW-1. CW-2 etc., in seriatim.

(8) The record of depositions shall indicate the date of the chief examination, the cross-examination and re-examination.

(9) The Presiding Officers shall wherever necessary record the deposition in question and answer format.

(10) Objections by either the prosecution or the defence counsel shall be taken note of and reflected in the evidence and decided immediately, in accordance with law or, at the discretion of the learned Judge, at the end of the deposition of the witness in question.

(11) The name and number of the witness shall be clearly stated on any subsequent date, if the evidence is not concluded on the date on which it begins.

(12) During cross examination, the relevant portion of the statements recorded under section 161 of the Cr.P.C used for contradicting the respective witness shall be extracted. If it is not possible to extract the relevant part as aforesaid, the Presiding Officer, in his discretion, shall indicate specifically the opening and closing words of such relevant portion, while recording the deposition, through distinct marking.

(13) In such cases, where the relevant portion is not extracted, the portions only shall be distinctly marked as prosecution or defence exhibit as the case may be, so that other inadmissible portions of the evidence are not part of the record.

(14) In cases, where the relevant portion is not extracted, the admissible portion shall be distinctly marked as prosecution or defence exhibit as the case may be.

(15) The aforesaid rule applicable to recording of the statements under section 161 shall mutatis mutandis apply to statements recorded under section 164 of the Cr.P.C, whenever such portions of prior statements of living persons are used for contradiction or corroboration.

(16) Omnibus marking of the entire statement under sections 161 and 164 of the Cr.P.C shall not be done.

(17) The Presiding Officer shall ensure that only admissible portion of section 8 or section 27 of the Indian Evidence Act, 1872 (Central Act 1 of 1872) is marked and such portion alone is extracted on a separate sheet and marked and given an exhibit number.”

(iii) for rule 10, the following shall be substituted, namely:-

**“10. Subsequent references to accused, witness, exhibits and material objects.-**

(1) After framing of charges, the accused shall be referred to only by their ranks in the array of accused in the charge and not by their names or other references except at the stage of identification by the witness.

(2) After recording the deposition of witnesses, marking of the exhibits and material objects, while recording deposition of other witnesses, the witnesses exhibits and material objects shall be referred by their numbers and not by names or other references.

(3) Where witness cited in the complaint or police report are not examined, they shall be referred to by their names and the numbers allotted to them in the complaint or police report.”

[iv] for rule 13, the following shall be substituted, namely:-

**"13. Exhibiting of material objects and evidence.-** (1) Prosecution exhibits shall be marked as Exhibit P-1, P-2 etc., in seriatim. Similarly, defence Exhibits shall be marked as Exhibit D-1, D-2, etc., in seriatim. The Court exhibit shall be marked as Exhibit C-1. C-2 etc., in seriatim.

(2) To easily locate the witness through whom the documents was first introduced in evidence, the exhibit number shall further show the witness number of such witness after the Exhibit number. If an exhibit is marked without proper proof, the same shall be indicated by showing in brackets (subject to proof).

**Explanation:** If prosecution witness No.1 (PW.1) introduces a document in evidence, that document shall be marked as Exhibit P- 1/PW 1. If proper proof is not offered for that document at the time when it is marked, it shall be marked as Exhibit P-1/PW.1 (subject to proof. The second document introduced by PW.1 will be Exhibit P-2/PW.1

(3) A list of the documents admitted in evidence on behalf of the prosecution and another of documents admitted in evidence for the defence shall be prepared in Form 4 and be signed by the Judge or Magistrate. The documents shall be entered in these lists in the order in which they are marked"

(v) after rule 17, the following shall be inserted, namely:

"17A-(a) Every Judgement shall contain the following-

(i) Start with preface showing the names of parties as per Form 10(a) to the rules.

(ii) A tabular statement as per Form 10[b] to the rules.

(iii) An appendix giving the list of prosecution witnesses, defence witnesses, Court witnesses. Prosecution Exhibits, Defence Exhibits and Court Exhibits and Material Objects as per Form 10(c) to the rules.

(b) In compliance with sections 354 and 355 of the CrPC in all cases, the Judgments shall contain:

(i) the point or points for determination.

- (ii) the decision thereon, and
- (iii) the reasons for the decision

(c) In case of Conviction, the Judgment shall separately indicate the offence involved and the sentence awarded. In case there are multiple accused, each of them shall be dealt with separately. In case of acquittal and if the accused is in confinement, a direction shall be given to set the accused at liberty, unless such accused is in custody in any other case.

(d) In the Judgment, the accused, witnesses, exhibits and material objects shall be referred to by their nomenclature or number and not only by their names or otherwise. Wherever, there is a need to refer to the accused or witnesses by their name, the number shall be indicated within brackets.

(e) The Judgment shall be written in paragraphs and each paragraph shall be numbered in seriatim. The Presiding Officer, may, in their discretion, organize the judgment into different sections.”

**3. Amendment to Chapter XVI.-** In the said rules in Chapter XVI, after rule 9, the following shall be inserted, namely:-

**“10. BAIL.-** (1) The application for bail in non-bailable cases must ordinarily be disposed off within a period of 3 to 7 days from the date of first hearing. If the application is not disposed off within such period, the Presiding Officer shall furnish reasons thereof in the order itself. Copy of the order and the reply to the bail application or status report (by the police or prosecution) if any, shall be furnished to the accused on the date of pronouncement of the order itself.

(2) The Presiding Officer may, in an appropriate case in its discretion insist on a statement to be filed by the Prosecutor in charge of the case.

**11. Separation of prosecutors and investigators.-** The State Government shall appoint advocates, other than Public Prosecutors, to advise the Investigating Officer during investigation.

**12. Directions for expeditious trial.-** (1) In every enquiry or trial, the proceedings shall be held as expeditiously as possible, and, in particular, when the examination of witnesses has once begun, the same shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded under section 309 (1) of the Cr.P.C. For this purpose, at the commencement, and immediately after framing charge, the Court shall hold a schedule hearing, to ascertain and fix consecutive dates for recording of evidence, regard being had to whether the witnesses are material or eyewitnesses, or formal witnesses or experts. The Court then shall draw up a schedule indicating the consecutive dates, when witnesses would be examined; it is open to schedule recording of a set of witness' depositions on one date, and on the next date, other sets, and so on. The Court shall also, before commencement of trial, ascertain if the parties wish to carry out admission of any document under section 294 Cr.P.C., and permit them to do so, after which such consecutive dates for trial shall be fixed.

(2) After the commencement of the trial, if the Court finds it necessary or advisable to postpone the commencement of, or adjourn, any inquiry or trial, it may, from time to time, for reasons to be recorded postpone or adjourn the same on such times as it thinks fit for such time as it considers reasonable. If witnesses are in attendance no adjournment or postponement shall be granted, without examining them, except for special reasons to be recorded, in writing. (section 309(2) of the Cr.P.C).

(3) Sessions cases may be given precedence over all other work and no other work should be taken up on sessions days until the sessions work for the day is completed. A sessions case once posted should not be postponed unless that is unavoidable, and once the trial has begun, it should proceed continuously from day to day till it is completed. If for any reason, a case has to be adjourned or postponed, intimation should be given forthwith to both sides and immediate steps be taken to stop the witnesses and secure their presence on the adjourned date.”

**4. Amendment to Appendix-1 (Forms).**-In the said rules, in the Appendix, after Form-10, the following shall be inserted, namely:-

**“Form 10 (a)  
(see rule 17A (a) (i))**

IN THE COURT OF ..... Present:.....Session Judge (Date of Judgment ) <b>(Case No...../20</b> (Details of FIR/Crime and Police Station)	
Complainant	STATE OF .... OR NAME OF THE COMPLAINANT
<b>Represented by</b>	<b>NAME OF THE ADVOCATE</b>
<b>Accused</b>	1. NAME WITH ALL PARTICULARS (A1) 2. NAME WITH ALL PARTICULARS (A2)
Represented by	NAME OF THE ADVOCATES

**Form 10 (b)  
(See rule 17 (a)(ii))**

Date of Offence	
Date of FIR	
Date of Charge Sheet	
Date of Framing of Charges	
Date of Commencement of evidence	
Date on which judgment is reserved	
Date of the Judgment	
Date of the Sentencing Order, if any	

**Accused Details:**

Rank of the Accused	Name of the Accused	Date of Arrest	Date of Release on Bail	Offence s charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detention Undergone during trail for purpose of section 428 of the Cr.P.C.

**Form 10 (c)**  
**(see rule-17A (a) (iii))**

**LIST OF PROSECUTION/DEFENCE/COURT WITNESS**

A. Prosecution:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW-1		
PW-2		

B. Defence Witness, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS/POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
DW-1		
DW-2		

C. Court witness, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
CW-1		
CW-2		

**LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS**

A. Prosecution:

Sr.No	Exhibit Number	Description
1.	Exhibit P1/PW1	
2.	Exhibit P2/PW1	

B. Defence:

Sr.No	Exhibit Number	Description
1.	Exhibit D1/DW1	
2.	Exhibit D2/DW1	

C. Court Exhibits:

Sr.No	Exhibit Number	Description
1.	Exhibit C1/CW1	
2.	Exhibit C2/CW1	

D. Material Objects:

Sr.No	Exhibit Number	Description
1.	MO1	
2.	MO2	

BY ORDER OF THE HIGH COURT,

Sd/-

(K. S. BHARATH KUMAR)  
REGISTRAR GENERAL